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# मध्यप्रदेश राजपत्र

## ( असाधारण )

### प्राधिकार से प्रकाशित

क्रमांक 118]

भोपाल, शुक्रवार, दिनांक 26 फरवरी 2021—फाल्गुन 7, शक 1942

#### विधि और विधायी कार्य विभाग

भोपाल, दिनांक 26 फरवरी 2021

क्र. 3089-114-इक्कीस-अ-(प्रा.).—भारत के संविधान के अनुच्छेद 348 के खण्ड (3) के अनुसरण में, मध्यप्रदेश सिविल न्यायालय (संशोधन) विधेयक, 2021 (क्रमांक 14 सन् 2021) का अंग्रेजी अनुवाद राज्यपाल के प्राधिकार से एतद्वारा प्रकाशित किया जाता है.

मध्यप्रदेश के राज्यपाल के नाम से तथा आदेशानुसार,  
आर. पी. गुप्ता, अवर सचिव.

## MADHYA PRADESH BILL

No. 14 OF 2021

## THE MADHYA PRADESH CIVIL COURTS (AMENDMENT) BILL, 2021

## A Bill further to amend the Madhya Pradesh Civil Courts Act, 1958.

Be it enacted by the Madhya Pradesh Legislature in the seventy-second of the Republic of India, as follows :—

## Short title.

1. This Act may be called the Madhya Pradesh Civil Courts (Amendment) Act, 2021;

## Substitution of certain phrases throughout the principal Act.

2. Except clause (a) of Section 2, Section 25 and Section 26 of the Madhya Pradesh Civil Courts Act, 1958 (No. 19 of 1958) (hereinafter referred to as the principal Act), throughout the principal Act,—

- (i) for the words “District Judge” wherever they occur, the words “Principal District Judge” shall be substituted;
- (ii) for the words “Additional District Judge” wherever they occur, the words “District Judge” shall be substituted;
- (iii) For the words and figure “Civil Judge Class I” wherever they occur, the words “Civil Judge, Senior Division” shall be substituted;
- (iv) for the words and figure “Civil Judge Class II” wherever they occur, the words “Civil Judge, Junior Division” shall be substituted;

## Amendment of Section 2.

3. In Section 2 of the principal Act, for clause (a), the following clause shall be substituted, namely:—

“(a) “cadre of higher judicial service” means the cadre of District Judges and shall include the Principal District Judge, District Judge (Entry Level) and District Judge (Selection Grade);”.

## Amendment of Section 18.

4. In Section 18 of the principal Act, for the words “District Court”, the words “Principal District Court” shall be substituted.

## STATEMENT OF OBJECTS AND REASONS

The Shetty Pay Commission (First National Judicial Pay Commission) made recommendations regarding pay scales, allowances, perquisites, medical facilities, retirement benefits and related issues of members of Higher Judicial Service and Lower Judicial Service in the country, among them one recommendation is to adopt uniform designation of members of Higher Juicial Service and Lower Judicial Service, which has been approved by Hon'ble the Supreme Court in the Writ Petition (Civil) No. 1022/89 All India Judges' Association Vs. Union of India and Others vide judgment dated 8th February, 2001.

2. As per directions of Hon'ble the Supreme Court in the aforesaid matter, nomenclature has already been incorporated in “the Madhya Pradesh Higher Judicial Service (Recruitment and Services of Conditions) rules, 2017” but unless the Madhya Pradesh Civil Court Act, 1958 (No. 19 of 1958) is amended, the designation of the Judicial Officers cannot be changed.

3. In view of above and with an intent to bring uniformity of designation of the Judicial Officers with other States, as per directions of Hon'ble the Supreme Court, it is proposed to amend the Madhya Pradesh Civil Court Act, 1958 suitably.

4. Hence this Bill.

Bhopal :

Dated the 19<sup>th</sup> February, 2021

DR. NAROTTAM MISHRA  
Member-in-Charge.